

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JEDEDIAH LESLIE VICKERS,
ROBERT ANTHONY PROPST,
JAMIE WILLIAM SITES,
JEREMY ANTHONY PROPST, and
CHARLES LEE BENNETT,

Plaintiffs,

vs.

CIVIL ACTION NO. 2:05 CV 43
(MAXWELL)

THE PENDLETON COUNTY
BOARD OF EDUCATION,
Defendant.

ORDER

It will be recalled that on September 20, 2007, *pro se* Plaintiff Jamie William Sites filed a Notice Of Appeal indicating that it was his intention to appeal this Court's August 24, 2007, Order denying his Motion To Reconsider Order Granting Defendant's Motion To Dismiss Based On Statute Of Limitations.

It will further be recalled that, by Notice Of Deficient Pleading filed September 20, 2007, by the Clerk of Court, *pro se* Plaintiff Jamie William Sites was given thirty days from the date of said Notice in which to either file an application to proceed *in forma pauperis* without prepayment of the full or partial filing fees or to pay the \$455.00 filing fee. By the Court's calculation, the thirty day period of time granted by said Notice would expire on October 20, 2007.

FILED
OCT 17 2007
U.S. DISTRICT COURT
ELKINS WV 26241

On October 11, 2007, a Motion For Ninety Day Extension was filed by *pro se* Plaintiff Jamie William Sites. In said Motion, Mr. Sites seeks a ninety day extension of time in which to file "all motions relating to his appeal." It is unclear to the Court exactly what types of motions Mr. Sites is seeking an extension of time to file. Insofar as Mr. Sites seeks an extension of time in which to file an application to proceed *in forma pauperis on appeal*, it is

ORDERED that the Motion For Ninety Day Extension filed on October 11, 2007, by *pro se* Plaintiff Jamie William Sites (Docket No. 40) be, and the same is hereby, **GRANTED, in part.** It is further

ORDERED that, on or before November 2, 2007, *pro se* Plaintiff Jamie William Sites may, if he so desires, file an application to proceed *in forma pauperis* on appeal. It is further

ORDERED that, with the exception of an application to proceed *in forma pauperis* on appeal, any further motions with regard to the appeal filed by *pro se* Plaintiff Jamie William Sites shall be directed to and filed with the United States Court of Appeals for the Fourth Circuit.

ENTER: October 17th, 2007


United States District Judge